IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 27TH SEPTEMBER 2007 / 5TH ASWINA 1929

WP(C).No. 2125 of 2005(C)

PETITIONER:

P.G.MOHANAN, AGED 49 YEARS,
S/O.GOPALAN, PUTHIRIKADAN HOUSE,
VARANDARAPPILLY, THRISSUR,
RETIRED WORKER ALAGAPPA NAGAR TEXTILES
(COCHIN MILLS).

BY ADV. SRI.RENJITH THAMPAN
SMT.P.A.ANITHA

RESPONDENTS:

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1. ALAGAPPA TEXTILES (COCHIN) MILLS,
ALAGAPPANAGAR, THRISSUR,
REPRESENTED BY GENERAL MANAGER.

2. ANGEL FINANCE AND HIREPURCHASE
COMPANY LIMITED, EDAKUNNI, THRISSUR.

3. CHILANKA CHITS AND LOANS PVT.LTD.,
THRISSUR.

BY ADV. SRI.U.K.RAMAKRISHNAN
SRI.E.K.MADHAVAN
SRI.P.V.LOHITHAKSHAN
SMT.P.VIJAYAMMA
SMT.UMA GOPINATH
SRI.V.KRISHNA MENON
SRI.DEVIDAS.U.K
SRI.SANDEEP.E.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 2125/2005

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE RELIEVING ORDER DATED 30/10/2004 OF THE 1ST RESPONDENT.

P2 : COPY OF THE ATTACHMENT ORDER DATED 29/07/2004 IN E.P. 361/03 IN OS NO. 1531/02.

P3 : COPY OF THE ORDER DATED 26/07/2004 IN EP NO. 1230/02 IN OS NO. 3191/01.

P4 : COPY OF THE REPRESENTATION FILED BY PETITIONER TO 1ST RESPONDENT DATED 14/01/2005.

// TRUE COPY //

PA TO JUDGE.

jg

V.GIRI, J.

WP(C) No. 2125 of 2005

Dated, this the 27th day of September, 2007

J U D G M E N T

The essential prayer made in the writ petition is for a direction to disburse the retirement benefits due to the petitioner on account of his voluntary retirement. Apparently, certain amounts due to the petitioner was withheld on account of Exts.P2 & P3 orders of attachment issued by the Munsiff Court, Trichur. Shri.P.V.Lohithakshan, the learned Standing Counsel for the respondents submits that the Execution Petition in which Exts.P2 & P3 were issued have been closed after recording satisfaction of the decree. This submission is recorded. In the circumstances, there is no further factor restraining disbursement of retirement benefits due to the petitioner. This writ petition is disposed of directing the respondents to disburse the amount due to the petitioner (which is specified as Rs. 1,06,308/-) within a period of one month from the date of receipt of a copy of the judgment. The contention of the petitioner, as regards any other amount due, is left open.

(V.GIRI, JUDGE)

jg